

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

SEP 08 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

BRIAN BEST,

Plaintiff - Appellant,

v.

VIRGIL SMITH,

Defendant - Appellee,

and

SONOMA COUNTY SHERIFF  
DEPARTMENT; et al.,

Defendants.

No. 22-16809

D.C. No. 4:19-cv-02252-YGR  
U.S. District Court for Northern  
California, Oakland

**MANDATE**

The judgment of this Court, entered May 31, 2023, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule  
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT